

01
02
03
04
05
06
07 UNITED STATES DISTRICT COURT
08 WESTERN DISTRICT OF WASHINGTON
09 AT SEATTLE

10 SALVATORE LARIZZA,

11 Plaintiff,

12 Case No. C13-0990-JLR-MAT

13 v.

14 REPORT AND RECOMMENDATION

15 SIX UNKNOWN AGENTS, *et al.*,

16 Defendants.

17 On June 10, 2013, plaintiff Salvatore Larizza submitted to this Court for filing a

18 proposed civil rights complaint. (*See* Dkt. No. 1.) However, plaintiff failed to submit with

19 his complaint either the filing fee or an application for leave to proceed with this action *in forma*

20 *pauperis*. Accordingly, the Clerk sent plaintiff a letter advising him that he would have to

21 submit either the entire filing fee, or an application for *in forma pauperis* status, on or before

22 July 10, 2013, and that his failure to do so could result in dismissal of this case. (Dkt. No. 3.)

On June 24, 2013, the Clerk's letter, which was mailed to plaintiff at his address of record, the

Immigration and Customs Enforcement (ICE) Processing Center in El Paso, Texas, was

01 returned by the post office with a notation indicating that plaintiff was no longer at that facility.
02 (Dkt. No. 4.) To date, plaintiff has not provided the Court with a new address.

03 Because over sixty days have passed since mail directed to plaintiff at his address of
04 record was returned by the post office, and because plaintiff has not notified the court of his
05 current address, this action should be dismissed, without prejudice, for failure to prosecute
06 pursuant to Local Rule CR 41(b)(2). A proposed order accompanies this Report and
07 Recommendation.

08 DATED this 4th day of September, 2013.

09
10 
11

Mary Alice Theiler
Chief United States Magistrate Judge

12
13
14
15
16
17
18
19
20
21
22